WO 1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 DISTRICT OF ARIZONA 8 9 United States of America, MAGISTRATE NO. 08-6024M 10 **Plaintiff** ORDER RE: EXTENDING TIME TO **INDICT** 11 V. 12 Roberto Bautiste-Lopez, 13 Defendant. 14 15 HAVING considered Defendant Roberto Bautiste-Lopez' Motion to Extend Time and good 16 cause having been shown; 17 THE COURT makes the following findings: 18 1. Counsel for defendant has only recently been appointed; 19 2. The defendant earnestly wishes to consider the plea offer extended by the government; 20 21 3. The defendant wishes to investigate possible defenses prior to considering the government's plea offer; 22 23 4. The government's plea offer, if accepted by the defendant and then the Court, would likely reduce defendant's exposure to a significant term of imprisonment; 24 If the defendant does not timely accept the plea offer prior to indictment, the 5. 25 government will withdraw the plea offer and any subsequent plea offer after 26 indictment would likely be less advantageous to the defendant; 27

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1

6.	Failure to extend time for indictment in this instance would thus operate to bar
	defendant from reviewing the government's plea offer in a meaningful way prior to
	indictment; and

7. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within which the government may seek to indict defendant, is hereby granted.

IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. 3161, the Government shall have an extension of thirty (30) days to file a timely Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the Government may present the case to the grand jury.

Dated this 11th day of March, 2008.

Lawrence O. Anderson United States Magistrate Judge